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Attorneys for Defendant International Business Machines Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RSI CORP., dba RESPONSIVE
SYSTEMS COMPANY, a New Jersey
corporation,

CASE NO. 5:08-cv-3414 (HRL)

**DECLINATION TO PROCEED
BEFORE A MAGISTRATE JUDGE
AND REQUEST FOR
REASSIGNMENT TO A UNITED
STATES DISTRICT COURT
JUDGE**

Plaintiff,

VS.

INTERNATIONAL BUSINESS
MACHINES CORPORATION; and
DOE DEFENDANTS 1-20.

Crtrm.: 2, 5th Floor
Judge: Hon. Howard R. Lloyd

Defendants.

1 Defendant International Business Machines Corporation ("IBM")
2 respectfully declines to consent to the assignment of this case to a United States
3 Magistrate Judge for trial and disposition and hereby requests the reassignment of
4 this case to a United States District Judge.

5 DATED: July 17, 2008

6 QUINN EMANUEL URQUHART OLIVER &
7 HEDGES, LLP

8 By /s/

9 Shon Morgan
10 Attorneys for Defendant
11 International Business Machines
12 Corporation